

CLASSIFICATION OFFICE DECISION

Title of publication: Black_Pageboy

Other known title(s): Not stated

OFLC ref: 1001396.000

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 14 October 2010

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is deemed objectionable because it promotes and supports the exploitation of children for sexual purposes.

The printout is a colour copy of a sexually explicit airbrush or digital painting of a young child being subjected to sexual activity by an adult man. The likely purpose of the image is to titillate or arouse adults with a sexual interest in children. The fictional nature of the depiction does not alter this purpose. The availability of the image is likely to encourage sexual interest in children, and strengthen the idea that children may be used for adult sexual gratification. In computer file format the image is capable of distribution or trading among like-minded individuals. The effect is to encourage the sexual exploitation of children.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications which fall under the criteria of s3(2) of the Films, Videos, and Publications Classification Act 1993 will be deemed objectionable. The classification is a reasonable and demonstrably justified limitation on the freedom of expression that reflects the concern of a free and democratic society to protect vulnerable young children from exploitation.